

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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RONNIE MORTON

v.

MARK J. MOLZ, ESQ. d/b/a  
MARK MOLZ LAW  
OFFICE

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: Civil Action No. 17-1799 JHR-KMW  
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***BRIEF OF DEFENDANT(S)***

***RETURNABLE OCTOBER 2, 2017***

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***LAW OFFICES OF MARK J. MOLZ  
1400 ROUTE 38 EAST, BOX 577  
HAINESPORT, NEW JERSEY 08036  
ATTORNEY ID: 038271985  
Phn: (609) 267-8884, Fax: (609) 267-1281  
ATTORNEY FOR DEFENDANTS MARK  
J. MOLZ, ESQ. D/B/A MARK MOLZ LAW  
OFFICE***

**On the Brief  
Mark J. Molz, Esquire  
[molzlaw@aol.com](mailto:molzlaw@aol.com)**

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MARK J. MOLZ, ESQUIRE  
1400 RTE. 38 EAST, PO BOX 577  
HAINESPORT, NJ 08036  
Attorney ID # 038271985  
Telephone 609-267-8884  
Facsimile 609-267-1281  
Attorney for Defendants

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

## RONNIE MORTON

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Civil Action No. 17-1799 JHR-KMW

V.

MARK J. MOLZ, ESQ. d/b/a  
MARK MOLZ LAW  
OFFICE

**BRIEF IN SUPPORT OF MOTION  
TO DISMISS PLAINTIFF'S  
SECOND AMENDED  
COMPLAINT**

## STATEMENT OF FACTS

1. Attached as Exhibit B to the Plaintiffs complaint is a true partial copy of communication Mark J. Molz to Mr. Morton on September 24, 2013.
2. The fee agreement which is attached as Plaintiff's Exhibit A contains reference to a \$2,500.00 flat fee for investigation. (Defense Exhibit A).
3. Mr. Morton never paid the fee. (See Affidavit of Mark J. Molz).

4. The fee agreement also states:

“case cannot be tried due to criminal record” (See Exhibit 1).

5. The problem was that Mr. Morton was a convicted felon and told Defendant that he had completed all of his obligations to the State and was available for such routine matters such as answering interrogatories, appearing at depositions, meeting with an attorney and other requirements of civil litigation. (See Affidavit of Mark J. Molz).
6. Unfortunately, Mr. Morton went back to jail. (See Plaintiff's Complaint and Affidavit of Mark J. Molz).
7. At that point Mark J. Molz had notified Mr. Morton that he was not interested in representing him. (Exhibit 6, 10, 11, 12).
8. There is no requirement in New Jersey law that Mark J. Molz continue to represent on a contingent fee basis pre-trial, particularly when the client Ronnie Morton lied. (See Affidavit of Mark J. Molz).
9. More importantly, in order to protect the Statute of Limitations and so as not to disadvantage Mr. Morton, Mark J. Molz did cause to be filed a complaint *pro se* based on the initial interview only and Mark J. Molz sent it to Mr. Morton at the George W. Hill correctional facility where he was incarcerated. (See Exhibit 6, 7, 8, 9).

10. Mark J. Molz wrote on the fee agreement that the case was not able to be tried because of Mr. Morton's extensive criminal record and the fact that his disclosed felony convictions would be used for impeachment. (See Exhibit 1).
11. As a result, Mark J. Molz did not breach any duty to Mr. Morton and in fact went above and beyond to make sure that he wasn't disadvantaged even though he had lied to Mark J. Molz. (See Affidavit of Mark J. Molz).
12. The present complaint fails to state a cause of action.
13. In addition, Mr. Morton never paid any retainer and refused to reimburse Mark J. Molz for the filing fee of the complaint. (See Affidavit of Mark J. Molz).
14. The Plaintiff has not showed that there was any disadvantage to Mr. Morton in this case.
15. Mr. Morton has failed to make out a prima facie case of legal negligence in this complaint.
16. There was no breach of the Statute of Limitations because a complaint was filed on Mr. Morton's behalf in his own name, *pro se*. (See Exhibit 8).

17. In addition, the underlying case cannot be proved since Mr. Morton went back to jail. (See Affidavit of Mark J. Molz).

18. Any damages in the underlying case cannot be proven since Mr. Morton went back to jail as can be seen from Exhibit B. (See Affidavit of Mark J. Molz).

19. There is no way Ronnie Morton's claims for civil rights violations in not providing a GED Course are worth more than \$75,000.00, which is not pleaded.

## **LAW AND ARGUMENT**

### **POINT I    FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6) REQUIRES THE DISMISSAL OF PLAINTIFF'S COMPLAINT**

In deciding a Motion to Dismiss in accordance with Fed. R. Civ. P. 12(b)(6), a court must apply a two part test. "First, the factual and legal elements of a claim should be separated. The District Court must accept all of the complaint's well pleaded facts as true, but may disregard any legal conclusions." Fowler v. UPMC Shadyside, 578 F.3d 203, 210-11 (3d Cir. 2009). "Second, a District Court must then determine whether the facts alleged in the complaint are sufficient to show that the plaintiff has a 'plausible claim for relief'" Id. at 211 (quoting Ashcroft v. Iqbal 566 U.S. 662, 129 S. Ct. 1937, 1949, 173 L. Ed. 2d 868 (2009)). "A claim has facial plausibility when the

plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” Iqbal, supra, 129 S. Ct. at 1949; See also Mayer v. Belichick, 605 F. 3d 223, 229 (3d Cir. 2010) (holding that “in order to withstand a motion to dismiss, a complaint’s factual allegations must be enough to raise a right to relief above the speculative level) (quoting Phillips v. County of Allegheny, 515 F. 3d, 224, 232 (3<sup>rd</sup> Cir. 2008).

A complaint will not withstand a motion to dismiss if it contains nothing more than “unadorned, the – defendant – unlawfully – harmed – me accusations.” Iqbal, supra, 129 S. Ct. at 1949, see also Bell Atlantic Corp v. Twombly, 550 U.S. 544, 555, 127 S. Ct. 1955, 167 L.Ed. 2d 929 (2007) (holding a “plaintiff’s obligation to provide the ‘grounds’ of his entitlement to relief requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do.”).

Although a Rule 12 (b)(6) motion generally relies upon the pleadings, a court has “discretion to address evidence outside the complaint...” CitiSteel USA Inc. v. GE, 78 F. App’x 832, 835 (3d Cir. 2003) (citation and internal quotation marked omitted) As such, “a court may examine the facts as alleged in the pleadings as well as matters of public record, orders, exhibits attached to the complaint and items appearing in the record of the case.” Tilbury v. Aames



Homes Loan, 199 F. App'z 122, 125 (3d Cir. 2006) (citation and internal quotation marks omitted). In addition, the court "may consider an undisputedly authentic document that a defendant attaches as an exhibit to a motion to dismiss if the plaintiff's claims are based on the document." ... CitiSteel USA Inc. v. GE, 78 F. App'x 832, 835 (3d Cir. 2003) (citation and internal quotation marked omitted).

As this court further noted in Love v. South River Police Department, "...an exception to the general rule is that a 'document integral to or explicitly relied upon in the complaint' may be considered 'without converting the motion to dismiss in to one for summary judgment'". No. CIV. 11-3765, 2012 WL 3950358, (D.N.J. Sept. 10, 2012).

## **POINT II PLAINTIFF'S SECOND AMENDED COMPLAINT FAILS TO STATE A CAUSE OF ACTION**

"In order to establish malpractice, the plaintiff must demonstrate: 1) the existence of an attorney-client relationship creating a duty of care upon the attorney; 2) that the attorney breached the duty owed; 3) that the breach was the proximate cause of any damages sustained; and 4) that actual damages were incurred." Sommers v. McKinney, 287 N.J.Super. 1, 10 (App.Div.1996).

Here, Ronnie Morton breached the fee agreement by never paying the agreed upon retainer. More importantly he went back to jail effectively

negating any claim for damages. The fee agreement sets forth Mr. Morton's claim that he was deprived of the opportunity to take GED classes.

"[A] lawyer shall not withdraw from employment until he has taken reasonable steps to avoid foreseeable prejudice to the rights of his client, including giving due notice to his client, allowing time for employment of other counsel, delivering to the client all papers and property to which the client is entitled, and complying with applicable laws and rules." Matter of Schwartz, 99 N.J. 510, 519 (1985).

Factually, Defendant Mark J. Molz declined to represent Mr. Ronnie Morton after Mr. Morton lied, failed to pay the \$2,500.00 retainer and went back to jail. To make sure Mr. Morton was not disadvantaged, Mark J. Molz filed a *pro se* complaint and advised Mr. Morton to secure counsel and/or to serve the Complaint.

The Complaint fails to set forth a cause of action and must be dismissed.

**POINT III THE DAMAGES CLAIMED BY RONNIE MORTON  
CANNOT REACH MORE THAN \$75,000.00**

The United States District Court has no jurisdiction to hear this case.

The instant Complaint has been filed as a diversity action. Accordingly, dismissal is warranted when it appears to a legal certainty that the claim is actually for less than the jurisdictional minimum. St. Paul Mercury Indem. Co. v. Red Cab Co., 303 U.S. 283, 288-289, 58 S. Ct. 586, 590, 82 L. Ed. 845

(1938). Ronnie Morton claims that while incarcerated, he was deprived of the opportunity to obtain a GED. He subsequently went back to jail. There can be no proof that the alleged failure to offer a GED Course leads to damages actually sustained by Ronnie Morton.

Ronnie Morton cannot in good faith demonstrate any ability to prove damages of \$75,000.00.

#### **POINT IV THE COMPLAINT IS FRIVOLOUS**

The Plaintiff has not showed that there was any disadvantage to Mr. Morton in the underlying case. Mr. Morton has failed to make out a *prima facie* case of legal negligence in this complaint.

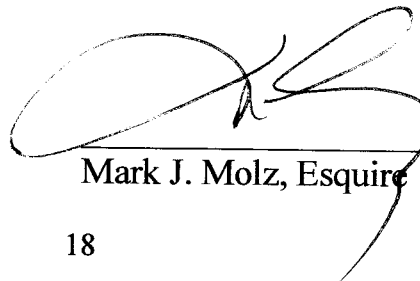
There was no breach of the Statute of Limitations because a complaint was filed on Mr. Morton's behalf in his own name, *pro se*. In addition, the underlying case cannot be proved since Mr. Morton went back to jail.

Rule 11 provides sanctions for the filing and continuation of a frivolous pleading.

#### **CONCLUSION**

Ronnie Morton's complaint is frivolous and should be dismissed. In the alternative, it is respectfully requested that Defendants be granted an addition 20 days to file an Answer.

Date: August 28, 2017

  
Mark J. Molz, Esquire

MARK J. MOLZ, ESQUIRE  
1400 RTE. 38 EAST, PO BOX 577  
HAINESPORT, NJ 08036  
Attorney ID # 038271985  
Telephone 609-267-8884  
Facsimile 609-267-1281  
Attorney for Defendants

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

RONNIE MORTON	:	
	:	
	:	Civil Action No. 17-1799 JHR-KMW
v.	:	
	:	
	:	
MARK J. MOLZ, ESQ. d/b/a	:	ORDER
MARK MOLZ LAW OFFICE	:	
	:	

THIS MATTER having been opened to the Court by Mark J. Molz, Esquire, attorney for the Defendants on \_\_\_\_\_, 2017, and the Court having considered the oral argument of counsel, and for good cause shown;

IT IS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017; ORDERED as follows:

1. The complaint filed against Mark J, Molz, Esq. d/b/a Mark Molz Law Office is hereby dismissed with prejudice; and/or

2. Defendants are granted an addition 20 days to file an Answer; and

IT IS FURTHER ORDERED that a true copy of this Order be served upon all parties within \_\_\_\_\_ days of its receipt hereof.

\_\_\_\_\_  
U.S.D.J.

CONTINGENT FEE AGREEMENT

1. MARK J. MOLZ, ESQUIRE  
 1400 Route 38 East  
 P.O. Box 577  
 Hainesport, New Jersey 08036

2. Name of Client:

Address of Client:

RONNIE O. MORTON  
1816 SOUTH 6TH ST  
CAMDEN NEW JERSEY 08104

3. Clients hereby agree to retain Mark J. Molz, Esquire as their attorney to represent them with respect to all claims arising out of an incident by which Client did sustain personal injuries and/or property damage.

The date of injury is:

1/10/12

The person or persons causing said injury is/are:

KINTOCK GROUP FAILED TO GIVE  
CLASSES FOR GED

CLIENT WILL SETTLE UPON ADVICE OF COUNSEL.  
CASE CANNOT BE TRIED DUE TO CRIMINAL RECORD,

4. You have the right to hire me and pay me, based upon the reasonable value of my services. In such case I have the right to be paid my usual hourly charges, even if you do not win your case. If you prefer that method of paying me then sign this clause. Then, I will bill you monthly as work is performed at the rate of \$300.00 per hour for attorneys and \$75.00 hour for paralegals.

5. In addition to legal fees, you must pay the following costs and expenses:

Experts' fees, court costs, accountants' fees, appraisers' fees, service fees, investigators' fees, deposition costs, messenger services, photocopying charges, telephone toll costs, postage and any other necessary expenses in this matter.

6. Notwithstanding Paragraph 4, Client agrees that the attorney shall be paid a fee, contingent in whole or in part to be computed as follows:

A flat fee for investigation of the claim in the amount of \$ 2500.00, which shall not be refundable and

(a) 33 1/3% on the first \$500,000.00 recovered, less a credit for any retainer or flat fee received;

(b) 30% on the next \$500,000.00 recovered;

(c) 25% on the next \$500,000.00 recovered;

(d) 20% on the next \$500,000.00 recovered;

(e) Where the amount recovered is for the benefit of a Client who was an infant or

**Exhibit 1**

apply, except that the fee on any amount recovered by settlement without trial shall not exceed 25%.

(f) If at the conclusion of a matter the attorney considers the fee permitted to be inadequate, an application on written notice to the Client may be made to the Assignment Judge for the hearing and determining of a reasonable fee in light of all the circumstances. A copy of any such application and of all papers filed in support of or in opposition thereto, together with a copy of the Court order fixing the fee shall be filed with the Administrative Office of the Courts. This shall not preclude the exercise of a Client's existing right to a Court review of the reasonableness of an attorney's fee.

(g) Calculation of Fee in Structured Settlements. As used herein the term "structured settlement" refers to the payment of any settlement between the parties or judgment entered pursuant to a proceeding approved by the Court, the terms of which provide for the payment of the funds to be received by the Plaintiff on an installment basis. The basis for calculation of a contingent fee shall be the value of the structured settlement as herein defined. Value shall consist of any cash payment made upon consummation of the settlement plus the actual cost to the part making the settlement of the deferred payment aspects thereof. In the event that the party paying the settlement does not purchase the deferred payment component, the actual cost thereof shall be the actual cost assigned by that party to the component. The party making the settlement shall disclose to the party receiving the settlement its actual cost and, if it does not purchase the deferred payment aspect of the settlement, the factors and assumptions used by it in assigning the actual cost.

The permissible fee shall be computed on the net sum recovered after deducting disbursements in connection with the institution and the prosecution of the claim, whether advanced by the attorney or by the Client, including investigation expenses, expenses for expert or other testimony or evidence, the cost of briefs and transcripts on appeal, and any interest included in a judgment pursuant to Rule 4:42-11(b).

The fee shall include legal services rendered on any appeal, review proceeding or retrial, but this shall not be deemed to require the attorney to take an appeal.

In the event there is no recovery, except as might otherwise be specified above, the Client shall not be obligated to pay the attorney a fee for his services, but the Client shall reimburse the attorney for all disbursements made by the attorney in connection with the institution and prosecution of the claim.

Services performed after final judgment for enforcement, collection, modification, etc., in accordance with new agreement to be made between Client and Law Firm. Should there be any awarded counsel fees and costs, same will be credited to Client's account or reimbursed to Client only when said monies are actually received by Law Firm.

Dated: 1/10/13

Client

Dated: 1/10/13

MARK J. MOLZ, ESQUIRE; For the Firm



DEAR TERRY HILTON  
WANTED TO LET YOU AND MR. MOLZ KNOW THAT I WAS  
ARRESTED IN CITY OF CAMDEN ON 4/23/2013 ON A FUGITIVE  
WARRANT FROM DELAWARE COUNTY COMMONWEALTH OF  
PENNSYLVANIA, STATE OF PENNSYLVANIA UNDER  
WARRANT # 32249-AW-0000093-2013 CONTRARY TO  
THE PROVISIONS OF N.J.S. 2A:160-10. SO I AM NOW  
AWAITING TO BE EXTRADICTED TO DELAWARE COUNTY  
AND THE STATE OF PENNSYLVANIA. TERRY IN THE  
MEAN TIME TELL MARK I SAID IF THE CIVIL  
COMPLAINT FOR THE LAWSUIT HAS BEEN FILED  
AGAINST KINTOCK GROUP. KINDLY SEND ME  
A COPY OF THE CIVIL COMPLAINT THAT WAS  
FILED WITH CAMDEN CIVIL COURT SEND  
EACH & ALL DOCUMENTS HERE TO ME AT THIS  
CAMDEN COUNTY JAIL DO NOT SEND ANY LEGAL  
MAIL TO 1816 SOUTH 6TH STREET CAMDEN, N.J.  
08104. ALSO IF MY SON'S MOTHER MS. DAWN HILTON  
ALL YOURS OFFICE I GIVE YOU CONSENT TO TELL HER

ANYTHING AND ALL INFORMATION REGARDING  
MY CIVIL LAWSUIT AGAINST KINTOCK GROUP  
BUT "DO NOT" SENT HER "NO" LEGAL DOCUMENTS  
SEND ALL LEGAL DOCUMENTS TO ME HERE AT  
THE CAMDEN COUNTY JAIL SEND ME A  
COPY OF THE CIVIL LAWSUIT COMPLAINT IF  
IT HAS BEEN FILED ALREADY TELL MARK THE  
CHARGES AGAINST ME IN DELAWARE COUNTY I

EXHIBIT 2

Ronnie Morton  
Camden Co. Jail  
P.O. Box 90431  
Camden, NJ 08101

DEAR MR. MOLZ, I WAS PICKED UP BY A CAMDEN  
CITY METRO POLICE OFFICER TELLING ME I WAS  
BEING ARRESTED FOR A OUT OF STATE FUGITIVE WARRANT  
FROM DELAWARE COUNTY COMMONWEALTH OF PENNSYLVANIA  
STATE OF PENNSYLVANIA UNDER WARRANT #32249-AW-  
0000093-2013 CONTRARY TO THE PROVISIONS OF N.J.S.  
2A:160-10. MR. MOLZ NEED YOU TO CALL CAMDEN SUPERIOR  
COURT AND FIND OUT WHEN IS MY EXTRADITION HEARING  
SO I CAN WAIVE IT AND GO TO DELAWARE COUNTY  
P.A. MARK ANY PAPERS ABOUT MY LAWSUITS SENT TO ME IT

←  
4-25-17

DEAR MR. MR. MOLZ I GOT PICKED UP ON A  
FUGITIVE WARRANT OUT OF DELAWARE COUNTY  
I AM CURRENTLY AWAITING A EXTRADITION  
HEARING WHICH I NEED YOU PRESENT AT THAT  
HEARING I AM CURRENTLY IN CAMDEN COUNTY  
JAIL, I NEED YOUR HELP. PLEASE PLEASE!

←  
NO DATE

EXHIBIT 3



RONNIE MORTON #277954

7/30/2013

CAMDEN COUNTY JAIL

P.O. #0431

330 FEDERAL STREET

CAMDEN, N.J. 08101

TO: TERRY  
LAW OFFICE OF  
MARK J. MOLZ, ESQ.  
1400 ROUTE 38 EAST  
P.O. BOX 577

HAINESPORT, N.J. 08060

EXHIBIT

4

RE: RONNIE MORTON V. THE KINTOCK GROUP

DEAR TERRY KINDLY LET MARK KNOW THAT  
THAT I AM CURRENTLY BEING HELD ON A bull  
CRAP FUGITIVE WARRANT OUT OF DELAWARE  
COUNTY I WILL BEAT IT I AM AWAITING TO  
BE EXTRADICTED TO PA. ALSO IF THE CIVIL  
COMPLAINT AGAINST KINTOCK IS FINISHED  
AND FILED MAIL ME A COPY HERE TO THE JAIL  
IMMEDIATELY A COPY OF THE CIVIL COMPLAINT  
AGAINST KINTOCK GROUP IS A P.

I DO NOT WANT ANY OF THE KINTOCK  
GROUP TO BE INVOLVED IN MY CASE  
KINTOCK TO BE INVOLVED IN MY CASE  
NOT WHO I AM TO MEET AT THE JAIL  
Respectfully Ronnie Morton



LAW OFFICE OF  
**MARK J. MOLZ**

1400 ROUTE 38 EAST, PO BOX 577  
HAINESPORT, NJ 08036  
PHONE: (609) 267-8884  
FAX: (609) 267-1281

MARK J. MOLZ \*#

OF COUNSEL  
RICHARD R. DISTEFANO

\*ALSO MEMBER OF PA BAR  
#ALSO MEMBER OF FL BAR

OUR FILE #

May 17, 2013

**PERSONAL AND CONFIDENTIAL**

Mr. Ronnie Morton  
George W. Hill Correctional Facility  
ID#13003389  
PO Box 23A  
Thornton, PA 19373

**Re: Your case**

Dear Mr. Morton:

I acknowledge receipt of your recent letters requesting a copy of the filed Complaint against the Kintoch Group. The Complaint has not yet been filed.

Please let me know what you are in for and what new charges you are facing.

This affects my ability to represent you in a civil case as mentioned during our multiple conversations.

Quite simply, there is nothing to assign as of this date.

Very truly yours,  
*Mark J. Molz* /s/  
Mark J. Molz

MJM/alc

**EXHIBIT 5**

LAW OFFICE OF  
**MARK J. MOLZ**

1400 ROUTE 38 EAST, PO BOX 577  
HAINESPORT, NJ 08036  
PHONE: (609) 267-8884  
FAX: (609) 267-1281

MARK J. MOLZ \*\*

OF COUNSEL

RICHARD R. DISTEFANO

\*ALSO MEMBER OF PA BAR  
#ALSO MEMBER OF FL BAR

OUR FILE #

September 24, 2013

**PERSONAL AND CONFIDENTIAL**

Mr. Ronnie Morton  
George W. Hill Correctional Facility  
ID#13003389  
PO Box 23A  
Thornton, PA 19373

**Re: Morton v. Kintock Group**

Dear Mr. Morton:

I hope this letter finds you well. As you are aware, I was hesitant to consider filing a Complaint for you based upon your criminal record. You assured me that you had turned a corner and that you were completely crime free at the time we talked.

This turned out not to be true, nonetheless, I carefully prepared a Complaint based upon your representations to me. I have filed it with the Court under your name.

You are appearing *pro se*. This means that you represent yourself.

The only way I would consider your representation at this point would be on an hourly basis. Sufficed to say that I want to help you maintain the action and I filed the Complaint to protect the Statute of Limitations for you.

I will no longer be your lawyer. This means you must take the filed copy of the Complaint and serve it upon the Defendants. You can initially serve it by certified and regular mail although to perfect service you should have it served personally. You will need to prepare a Summons and I am sending you the summons with this communication so that you have it to serve.

Please refund me the \$200.00 filing fee.

Once you are released from jail, I would consider speaking with you again. However, you have overwhelmed my office with letters and with demands and therefore I respectfully decline your representation at this time.

**EXHIBIT 6**

It is my hope that you are successful in your claim for damages. I highly encourage you to obtain other counsel.

Very truly yours,  
*Mark J. Molz /s/*  
Mark J. Molz

MJM/alc

RONNIE MORTON 13003389  
 GWH Correction Facility  
 PO Box 23A  
 Thornton, PA 19373

RONNIE MORTON

Plaintiff,

v.

KINTOCK GROUP, and/or  
 JOHN DOE 1-10 individually, jointly and  
 severally

Defendant (s)

: SUPERIOR COURT OF NEW JERSEY  
 : CAMDEN COUNTY  
 : LAW DIVISION  
 : DOCKET NO.  
 : Civil Action (Tort/Contract)

: **SUMMONS**

The State of New Jersey, to the Above Named Defendant(s):

The Plaintiff(s) named above has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to the Summons states the basis for the lawsuit. If you dispute this Complaint, you or your attorney must file a written answer or motion and proof of service with the Deputy Clerk of the Superior Court in the County listed above within 35 days from the date you receive this, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided). If the Complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, PO Box 971, Trenton, New Jersey 08625-0971. A \$135.00 filing fee payable to the Treasurer of the State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to Plaintiff's attorney whose name and address appear above, or to Plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the Court to hear your defense.

If you do not file and serve an a written answer or motion within 35 days, the Court may enter a judgment against you for the relief Plaintiff demands, plus interest and costs of suit. If Judgment is entered against you, the sheriff may seize your money, wages or property to pay all or part of the Judgment.

If you cannot afford to pay an attorney, you may call the Legal Services Office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: September 24, 2013

Jennifer M. Perez  
 Clerk of the Superior Court

Name of defendant to be served:  
 Address for service:

**EXHIBIT 7**

Directory of Superior Court Deputy Clerk's Offices  
County Lawyer Referral and Legal Services Offices

<b>ATLANTIC COUNTY:</b> Deputy Clerk of the Superior Court Civil Division, Direct Filing 1201 Bacharach Blvd., First Fl. Atlantic City, NJ 08401	LAWYER REFERRAL (609) 345-3444 LEGAL SERVICES (609) 348-4200
<b>BERGEN COUNTY:</b> Deputy Clerk of the Superior Court Civil Division, Room 115 Justice Center, 10 Main Street Hackensack, NJ 07601	LAWYER REFERRAL (201) 488-0044 LEGAL SERVICES (201) 487-2166
<b>BURLINGTON COUNTY:</b> Deputy Clerk of Superior Court Central Processing Office Attn: Judicial Intake First Fl., Courts Facility 49 Rancocas Rd. Mt. Holly, NJ 08060	LAWYER REFERRAL (609) 261-4862 LEGAL SERVICES (800) 496-4570
<b>CAMDEN COUNTY:</b> Deputy Clerk of the Superior Court Civil Processing Office Hall of Justice 1 <sup>st</sup> Fl., Suite 150 101 South 5 <sup>th</sup> Street Camden, NJ 08103	LAWYER REFERRAL (856) 964-4520 LEGAL SERVICES (856) 964-2010
<b>CAPE MAY COUNTY:</b> Deputy Clerk of the Superior Court 9 N. Main Street Cape May Court House, NJ 08210	LAWYER REFERRAL (609) 463-0313 LEGAL SERVICES (609) 465-3001
<b>CUMBERLAND COUNTY:</b> Deputy Clerk of the Superior Court Civil Case Management Office 60 W. Broad Street PO Box 10 Bridgeton, NJ 08302	LAWYER REFERRAL (856) 696-5550 LEGAL SERVICES (856) 691-0494
<b>ESSEX COUNTY:</b> Deputy Clerk of the Superior Court Civil Customer Service Hall of Records, Room 201 465 Dr. Martin Luther King, Jr. Blvd. Newark, NJ 07102	LAWYER REFERRAL (973) 622-6204 LEGAL SERVICES (973) 624-4500
<b>GLOUCESTER COUNTY</b> Deputy Clerk of the Superior Court Civil Case Management Office Attn: Intake First Fl., Court House 1 North Broad Street Woodbury, NJ 08096	LAWYER REFERRAL (856) 848-4589 LEGAL SERVICES (856) 848-5360
<b>HUDSON COUNTY:</b> Deputy Clerk of the Superior Court Superior Court Civil Records Dept. Brennan Court House – 1 <sup>st</sup> Floor Jersey City, NJ 07306	LAWYER REFERRAL (201) 798-2727 LEGAL SERVICES (201) 792-6363
<b>HUNTERDON COUNTY:</b> Deputy Clerk of the Superior Court Civil Division	LAWYER REFERRAL (908) 735-2611 LEGAL SERVICES

<b>MERCER COUNTY:</b> Deputy Clerk of the Superior Court Local Filing Office, Courthouse 175 S. Broad Street, PO Box 8068 Trenton, NJ 08650	<b>LAWYER REFERRAL</b> (609) 585-6200 <b>LEGAL SERVICES</b> (609) 695-6249
<b>MIDDLESEX COUNTY:</b> Deputy Clerk of the Superior Court Middlesex Vicinage 2 <sup>ND</sup> Floor – Tower 56 Paterson Street, PO Box 2633 New Brunswick, NJ 08903-2633	<b>LAWYER REFERRAL</b> (732) 828-0053 <b>LEGAL SERVICES</b> (732) 249-7600
<b>MONMOUTH COUNTY:</b> Deputy Clerk of the Superior Court Court House PO Box 1269 Freehold, NJ 07728-1269	<b>LAWYER REFERRAL</b> (732) 431-5544 <b>LEGAL SERVICES</b> (732) 866-0020
<b>MORRIS COUNTY:</b> Morris County Courthouse Civil Division Washington and Court Streets Morristown, NJ 07963-0910	<b>LAWYER REFERRAL</b> (973) 267-5882 <b>LEGAL SERVICES</b> (973) 285-6911
<b>OCEAN COUNTY:</b> 118 Washington Street, Room 121 PO Box 2191 Toms River, NJ 08754-2191	<b>LAWYER REFERRAL</b> (732) 240-3666 <b>LEGAL SERVICES</b> (732) 341-2727
<b>PASSIAC COUNTY:</b> Deputy Clerk of the Superior Court Civil Division Court House 77 Hamilton Street Paterson, NJ 07505	<b>LAWYER REFERRAL</b> (973) 278-9223 <b>LEGAL SERVICES</b> (973) 523-2900
<b>SALEM COUNTY:</b> Deputy Clerk of the Superior Court Attn: Civil Case Management Office 92 Market Street Salem, NJ 08079	<b>LAWYER REFERRAL</b> (856) 935-5629 <b>LEGAL SERVICES</b> (856) 451-0003
<b>SOMERSET COUNTY:</b> Deputy Clerk of the Superior Court Civil Division PO Box 3000 40 North Bridge Street Somerville, NJ 08876	<b>LAWYER REFERRAL</b> (908) 685-2323 <b>LEGAL SERVICES</b> (908) 231-0840
<b>SUSSEX COUNTY:</b> Deputy Clerk of the Superior Court Sussex County Judicial Center 43-47 High Street Newton, NJ 07860	<b>LAWYER REFERRAL</b> (973) 267-5882 <b>LEGAL SERVICES</b> (973) 383-7400
<b>UNION COUNTY:</b> Deputy Clerk of the Superior Court 1 <sup>st</sup> Fl. Court House 2 Broad Street Elizabeth, NJ 07207-6073	<b>LAWYER REFERRAL</b> (908) 353-4715 <b>LAWYER SERVICES</b> (908) 354-4340
<b>WARREN COUNTY:</b> Deputy Clerk of the Superior Court Civil Division Office Court House 413 Second Street Belvidere, NJ 07823-1500	<b>LAWYER REFERRAL</b> (973) 267-5882 <b>LEGAL SERVICES</b> (973) 475-2010

CAMDEN COUNTY  
SUPERIOR COURT  
HALL OF JUSTICE  
CAMDEN NJ 08103

COURT TELEPHONE NO. (856) 379-2200  
COURT HOURS TRACK ASSIGNMENT NOTICE

DATE: AUGUST 15, 2013  
RE: MORTON VS KINTOCK GROUP  
DOCKET: CAM L -003364 13

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON JOHN T. KELLEY

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 202  
AT: (856) 379-2200 EXT 3060.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.

ATTENTION:

RONNIE MORTON  
GWH CORRECTION FACILITY  
P O BOX 23A  
THORNTON PA 19373

JUAXT5



RONNIE MORTON 13003389  
GWH Correction Facility  
PO Box 23A  
Thornton, PA 19373

August 13, 2013

Clerk,  
Superior Court of New Jersey  
101 S. 5<sup>th</sup> Street  
Camden, NJ 08103

**Re: Morton v. Kintock Group**

Dear Clerk:

Enclosed herein please find an original and one copy of the following:


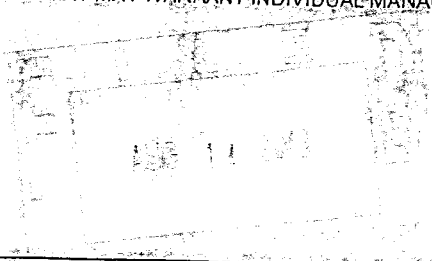

1. Civil Case Information Statement; and
2. Complaint.

I am also enclosing my check in the amount of \$200.00. Please file same and return the copies so marked in the enclosed self addressed stamped envelope.

Very truly yours,  
*Ronnie Morton*  
Ronnie Morton

**EXHIBIT 8**

## Appendix XII-B1

CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY	
<div></div> <p>Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> <b>Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed</b></p>		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CC <input type="checkbox"/> CA	
		CHG/CK NO.	
		AMOUNT:	
		OVERPAYMENT:	
BATCH NUMBER:			
ATTORNEY / PRO SE NAME Ronnie Morton		TELEPHONE NUMBER	COUNTY OF VENUE Camden <input checked="" type="checkbox"/>
FIRM NAME (if applicable)		DOCKET NUMBER (when available) <b>L-336413</b>	
OFFICE ADDRESS GWH Correction Facility PO BOX 23A Thornton, PA 19373		DOCUMENT TYPE Complaint	
		JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NAME OF PARTY (e.g., John Doe, Plaintiff) Ronnie Morton, Plaintiff		CAPTION Ronnie Morton, Plaintiff v. Kintock Group and/or John Doe 1-10, individually, jointly and severally Defendants.	
CASE TYPE NUMBER (See reverse side for listing)	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN		
<b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.</b>			
<b>CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION</b>			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input checked="" type="checkbox"/> FAMILIAL <input checked="" type="checkbox"/> BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION			
<div></div>			
<div></div> DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION	
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE?	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:28-3(a)</i>			

Side 2



# CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

## CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

### Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

### Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

### Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

### Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

### Centrally Managed Litigation (Track IV)

- |  |   |
|--|---|
| 285 STRYKER TRIDENT HIP IMPLANTS           | 291 PELVIC MESH/GYNECARE                |
| 288 PRUDENTIAL TORT LITIGATION             | 292 PELVIC MESH/BARD                    |
| 289 REGLAN                                 | 293 DEPUY ASR HIP IMPLANT LITIGATION    |
| 290 POMPTON LAKES ENVIRONMENTAL LITIGATION | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
|  | 623 PROPECIA                            |

### Mass Tort (Track IV)

- |                                       |  |
|---------------------------------------|--|
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL |
| 271 ACCUTANE/ISOTRETINION             | 282 FOSAMAX                            |
| 274 RISPERDAL/SEROQUEL/ZYPREXA        | 284 NUVARING                           |
| 278 ZOMETHA/AREXIA                    | 286 LEVAQUIN                           |
| 279 GADOLINIUM                        | 287 YAZ/YASMIN/OCELLA                  |
|                                       | 601 ASBESTOS                           |

RONNIE MORTON 13003389  
GWH Correction Facility  
PO Box 23A  
Thornton, PA 19373

RONNIE MORTON

Plaintiff,

v.

KINTOCK GROUP, and/or  
JOHN DOE 1-10 individually, jointly and  
severally

Defendant (s)

: SUPERIOR COURT OF NEW JERSEY  
: CAMDEN COUNTY  
: LAW DIVISION  
: DOCKET NO. L-3364-13  
: Civil Action (Tort/Contract)

: **COMPLAINT**  
: **WITH JURY DEMAND**  
: **AND DISCOVERY REQUESTS**

Ronnie Morton residing at 1816 South 6<sup>th</sup> Street, City of Camden, County of Camden,  
State of New Jersey by way of Complaint states:

1. The Defendant Kintock Group is a contractor for the State Department of Corrections with principal offices located at 4 South Industrial Boulevard, Bridgeton, NJ 08302.
2. John Doe 1-10 is a fictitious designation for an individual or business entity whose act or omission caused the Plaintiff damages as set forth herein.
3. The principal is responsible for the act or omission of its agent, servant or assigns.
4. In or about July 2009, the Plaintiff was sentenced to a 5 year term with a 2 year parole ineligibility.
5. The Plaintiff served his sentence and in or about July 2011 the Plaintiff was transferred to the Kintock Group which is an independent contractor administering the state management treatment and work release program.
6. The Kintock Group program profile is set forth as Exhibit 1. It states:

**EXHIBIT 9**



20150

MARK J. MOLZ, ESQUIRE  
Attorney Business Account  
11400 Route 38 East  
Hainesport, NJ 08036  
(609) 267-8884

ROMA BANK  
TRENTON, NEW JERSEY 08609  
55-7137-2312

PAY TO THE ORDER OF  
TREASURER STATE OF NEW JERSEY

TWO HUNDRED \$ 200.00

8/13/13

VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

MEMO # 1741

Security features. Details on back.

⑈020150⑈ ⑆0312076521600902612⑈

MARK J. MOLZ, ESQUIRE

20150

TREASURER STATE OF NJ  
8/13/13  
200.00  
chk # 1741

LAW OFFICE OF  
**MARK J. MOLZ**

1400 ROUTE 38 EAST, PO BOX 577  
HAINESPORT, NJ 08036  
PHONE: (609) 267-8884  
FAX: (609) 267-1281

MARK J. MOLZ \*#

OF COUNSEL

RICHARD R. DISTEFANO

\*ALSO MEMBER OF PA BAR  
#ALSO MEMBER OF FL BAR

OUR FILE #

October 17, 2014

**VIA CERTIFIED 7013 3020 0001 4466 6054**

**AND REGULAR MAIL**

**PERSONAL AND CONFIDENTIAL**

Mr. Ronnie Morton  
918 N. Broad Street  
Philadelphia, PA 19130

**Re: Your case**

Dear Mr. Morton:

Please be advised that I will not be undertaking your representation. When I originally spoke to you, you indicated that you would not be incarcerated and I explained how this affects the outcome of a civil case.

Since that time, you filed an ethics complaint against me. Obviously we cannot work together and I therefore respectfully request that you cease all communication with my office. If you do not cease all communication with my office other steps will be taken.

I hope that you have a clear understanding of my request.

Very truly yours,  
*Mark J. Molz /s/*  
Mark J. Molz

MJM/alc

**EXHIBIT 10**

f Mark J. Molz  
38 East

NJ 08036

**PERSONAL AND CONFIDENTIAL**

Mr. Ronnie Morton  
918 N. Broad Street  
Philadelphia, PA 19130

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RONNIE MORTON  
918 N. BROAD STREET  
PHILADELPHIA, PA 19130

2. Article Number

(Transfer from service label)

7013 3020 0001 4466 6054

PS Form 3811, July 2013

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail®

☐ Priority Mail Express™

☐ Registered

☐ Return Receipt for Merchandise

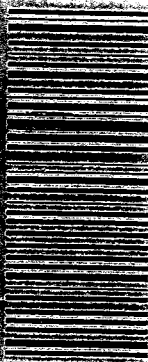
☐ Insured Mail

☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
CERTIFIED MAIL™



3020 0001 4466 6054  
3020 0001 4466 6054

U.S. Postal Service™

**CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage \$

Certified Fee

Return Receipt Fee  
(Endorsement Required)

Restricted Delivery Fee  
(Endorsement Required)

Total Postage & Fees

\$6.49

Postmark  
Here

Sent To

LAW OFFICE OF MARY J. MOY

LAW OFFICE OF  
**MARK J. MOLZ**

1400 ROUTE 38 EAST, PO BOX 577  
HAINESPORT, NJ 08036  
PHONE: (609) 267-8884  
FAX: (609) 267-1281

MARK J. MOLZ \*#

OF COUNSEL

RICHARD R. DISTEFANO

\*ALSO MEMBER OF PA BAR  
#ALSO MEMBER OF FL BAR

OUR FILE #

October 15, 2013

**PERSONAL AND CONFIDENTIAL**

Mr. Ronnie Morton  
SCI Camp Hill  
ID LE0207  
PO Box 200  
Camphill, PA 17001

**Re: Your case**

Dear Mr. Morton:

I am in receipt of your undated letter which was mailed October 9, 2013. I am returning it to you. I am also forwarding to you a copy of the lawsuit that was filed *pro se*. As you may recall, when I spoke to you about potential representation you told me that you were done with the court system and that your damages involved you working in a normal position.

Unfortunately, you did have more legal troubles and under those circumstances I declined your representation.

As a courtesy and to protect your rights I filed a Complaint on your behalf in your own name. A true copy of it is attached. You need to serve the Complaint, take discovery and move the case forward.

I have not sent a copy of this letter to Mr. Kramer but you may send the lawsuit to him and ask him to represent you.

This office will not be taking any further action on your behalf. Accordingly, I decline to order my staff to provide an assignment to Mr. Kramer.

I do wish you the best of luck in your current circumstances.

Very truly yours,  
*Mark J. Molz /s/*  
Mark J. Molz

MJM/alc  
Enclosure

**EXHIBIT 11**



LAW OFFICE OF  
**MARK J. MOLZ**  
1400 ROUTE 38 EAST, PO BOX 577  
HAINESPORT, NJ 08036  
PHONE: (609) 267-8884  
FAX: (609) 267-1281

MARK J. MOLZ \*#

OF COUNSEL

RICHARD R. DISTEFANO

\*ALSO MEMBER OF PA BAR  
#ALSO MEMBER OF FL BAR

OUR FILE #

April 17, 2014

**VIA CERTIFIED 7011 2000 0001 7614 2497  
AND REGULAR MAIL**

**PERSONAL AND CONFIDENTIAL**

Mr. Ronnie Morton

SCI Camp Hill

ID LE0207

PO Box 200

Camphill, PA 17001

**Re: Morton v. Kintock Group**

Dear Mr. Morton:

Enclosed herein please find a copy of correspondence that was sent to you on September 24, 2013.

Please be guided accordingly.

Very truly yours,  
*Mark J. Molz* /s/  
Mark J. Molz

MJM/alc  
Enclosure

**EXHIBIT 12**